

Attorney Docket No. 32892.00024

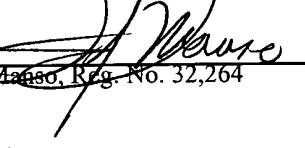
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Peter J. Manso, Reg. No. 32,264

Date

March 30, 1999

In re Application of: Eugenio A. Cefali
Serial No.: 08/962,421
Filing Date: October 31, 1997
Group Art Unit: 1615
Examiners: J. Spear
Title: **INTERMEDIATE RELEASE NICOTINIC ACID COMPOSITIONS FOR TREATING HYPERLIPIDEMIA WHICH EXHIBIT AN IN VIVO STAIR-STEPPED ABSORPTION CURVE**

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

AMENDMENT

1998

This Amendment is responsive to the Office Action mailed on October 2, 1999 in connection with the above-identified application for U.S. patent. Submitted herewith for consideration by the Examiner is a copy of Dr. Straughn's Declaration, in which the original was submitted in related U.S. patent application, Serial No. 08/814,974. Dr. Straughn's declaration presents evidence which supports "no inherency" and that the formulations described in the O'Neill U.S. Patent No.

04/16/1999

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